

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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BARTELL RANCH LLC, *et al.*,

Plaintiffs,

v.

ESTER M. MCCULLOUGH, *et al.*,

Defendants.

Case No. 3:21-cv-00080-MMD-CLB

and related case

WESTERN WATERSHEDS PROJECT, *et al.*,

Plaintiffs,

v.

BUREAU OF LAND MANAGEMENT OF
THE U.S. DEPARTMENT OF THE
INTERIOR, *et al.*,

Defendants.

Case No. 3:21-cv-00103-MMD-CLB

ORDER TO SHOW CAUSE

Both of these cases challenge the Bureau of Land Management of the United States Department of the Interior's decision to approve the Thacker Pass Lithium Mine Project under the Administrative Procedure Act, 5 U.S.C. §§ 701-706, the Federal Land Policy Management Act of 1976, 43 U.S.C. §§ 1701, *et seq.*, and the National Environmental Policy Act, 42 U.S.C. §§ 4321, *et. seq.*, and seek to enjoin the construction of the mine. Moreover, all parties to these cases recognize they are related, and the "Federal Defendants and Lithium Nevada believe that, as both cases challenge the same decision under the same statutes, these cases should be consolidated for the remaining proceedings." *Western Watersheds*, Case No. 3:21-cv-00103-MMD-CLB, ECF No. 28 at 4 (D. Nev. Jun. 21, 2021). And LR 42-1(b) allows the Court to consolidate cases. The Court tentatively finds that consolidation of these two cases is appropriate under

1 LR 42-1(b).

2 It is therefore ordered that all parties to both of these cases must show cause, in
3 writing, why these two cases should not be consolidated for all purposes.

4 It is further ordered that the parties' responses to this order to show cause may be
5 no longer than 10 pages.

6 It is further ordered that all parties must file their responses to this order to show
7 cause by July 30, 2021, though the Court encourages the parties to file their responses
8 sooner if they do not object to consolidation.

9 DATED THIS 23rd Day of July 2021.

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12 MIRANDA M. DU
13 CHIEF UNITED STATES DISTRICT JUDGE
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